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| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/642,436 | SCHUSTER ET AL. | |
| | Examiner | Art Unit | |
| | Michael P. Stafira | 2877 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 2/15/2006.
2. ☒ The allowed claim(s) is/are 1-10,12-14,16-23,26-29 and 41-47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
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DETAILED ACTION

Allowable Subject Matter

1. Claims 1-10, 12-14, 16-23, 26-29, 41-47 are allowed over the prior art of record.
2. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the prior art fails to disclose or make obvious a method of fabricating a pore array having directing light onto a sheet of material comprising a polymer film in a pore array fabrication position wherein the light having an intensity and a wavelength sufficient to simultaneously form a plurality of pores within the sheet; detecting the light passing through the plurality of pores and analyzing the detected light to determine if the plurality of pores meet a pore size and pore shape criterion, and in combination with the other recited limitations of claim 1. Claims 2-10, 12-13 are allowed by the virtue of dependency on the allowed claim 1.

Regarding claim 14, the prior art fails to disclose or make obvious a device for fabricating a pore array having a means for simultaneously detecting light passing through the plurality of pores of the pore array as the pores are formed; a means for analyzing the detected light to determine if the pores meet a criteria; and means for continuously repositioning sheets relative to the means for directing light, and in combination with the other recited limitations of claim 14. Claims 16-19 are allowed by the virtue of dependency on the allowed claim 14.

Regarding claim 20, the prior art fails to disclose or make obvious a method of simultaneously manufacturing and inspecting a pore having the steps of directing light energy onto a plurality of locations on a surface of a sheet material in an amount sufficient to simultaneously create a plurality of pores in the material; detecting light passing through the

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plurality of pores in the sheet material opposite the surface at which the light energy is directed; and analyzing the detected light to determine at least one criterion of at least pore of the plurality of pores, and in combination with the other recited limitations of claim 20. Claims 21-23, 26-29 are allowed by the virtue of dependency on the allowed claim 20.

Regarding claim 41, the prior art fails to disclose or make obvious a method for the fabrication of an array of pores having the steps of detecting the light transmitted through the pores wherein the detected light demonstrates the number of the pores; and stopping the directing of light when the transmitted light demonstrates that the pores are of the correct number, and in combination with the other recited limitations of claim 41.

Regarding claim 42, the prior art fails to disclose or make obvious a method of simultaneously manufacturing and inspecting a plurality of pores having the steps of directing light energy on a surface of a material in an amount sufficient to create the plurality of pores in the material; detecting light passing through the plurality of pores opposite the surface at which the light energy is directed; and analyzing the detected light to determine at least one criterion of the plurality of pores being formed, and in combination with the other recited limitations of claim 42. Claims 43-47 are allowed by the virtue of dependency on the allowed claim 42.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

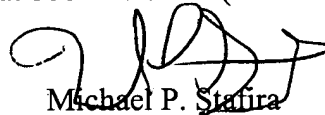
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Stafira whose telephone number is 571-272-2430.

The examiner can normally be reached on 4/10 Schedule Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Toatley can be reached on 571-272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael P. Stafira
Primary Examiner
Art Unit 2877

April 19, 2006